

MEMO

Date: May 29, 2015

To: Alexandria Town Board

From: Ben Oleson, Hometown Planning
Zoning Administrator, Alexandria Township

Re: Zoning Administrator's Report

Dear Town Board Members:

The Planning Commission held its regular meeting on May 27, 2015. There were two public hearings for which the Planning Commission is passing on its recommendation to the Town Board.

Attachments, drawings and photos related to the applications are available at: www.hometownplanning.com. Public comments (if any) are also at the same location.

PUBLIC HEARING #1

Application: Conditional Use application to allow for the operation of a contractor's yard with outdoor storage in the Urban Residential zoning district on a property with a previous conditional use permit for business use.

Applicant: David Klein (Creative Landscapes). Owner: Karen Oberg

Background Information:

Proposal: The applicant is proposing to operate a landscaping business from a portion of this property. The business would involve outdoor storage of some rock bins and landscaping machinery, employee vehicles during the work day and possibly an addition to the existing building for cold storage. No retail sales would take place at the site. The applicant anticipates possibly one sign on the side of the building.

The property in question is currently zoned Urban Residential. It has, however, been used for a number of commercial/light industrial businesses for many years, including a house moving business and a truck repair/welding business. These businesses were granted via conditional use permit by Douglas County in 1974 and 1985, respectively. In both cases, the property was zoned Agriculture at the time. An application for an metal electroplating business in 2001 was denied.

This property is located along Geneva Road (gravel) which runs parallel with the railroad tracks and Highway 29 North. It is located directly across from Good Shepard Lutheran Church on the west. Property to the north is undeveloped and there is heavy tree/wetland screening. Property to the east is an agricultural field with a small hillside screening the property from that direction. Property to the south is a residential dwelling located on the same property. A small hillside and that house also screen the property from that direction. Access to Geneva Road from Highway 29 is about 1/3 mile to the south on County Road 73 or about 1 mile to the north from County Road 20/9.

Location:

1. Property Address: 2704 Geneva Road NE
2. Sec/Twp/Range: 3-128-37
3. Legal Description: An Irreg. SW 8.27 AC tract of N2SW4SW4 Lying E of RR Ex SW most 1.06 ac. 7.21 ac
4. Parcel Number(s): 03-0039-000

Town Board Direction: The Town Board can accept the recommendation of the Planning Commission, render a modified decision on the application, or send the request back to the Planning Commission for further review if additional information is needed. If the decision is for approval or denial, findings of fact should be cited.

Planning Commission Action: The Planning Commission has unanimously recommended approval of conditional use permit for the proposed contractor's yard with outdoor storage with the following conditions of an approval:

1. That the property maintains a neat appearance, free of inoperable equipment (except as will be made operable after repair within a reasonable time) or other junk material.
2. That outdoor storage of rock bins, equipment, employee vehicles and other materials will be located behind the building or otherwise screened from view of neighboring properties or the public road.
3. That this approval shall be for a contractor's yard with outdoor storage, not including retail sales. All previously granted conditional use permits are deemed abandoned and any change to a different use shall require a separate conditional use permit. Any future use by a different contractor as a contractor's yard shall adhere to all of the requirements of this approval, with any changes requiring a new conditional use permit.
4. That the property shall be allowed no more than one wall sign of up to thirty two (32) square feet (not exceeding the height of the outside wall) and one freestanding sign up to sixteen (16) square feet and up to eight (8) feet in height.
5. Approval includes the construction of a future lean-to off the east side of the existing shop no longer than the length of the existing building.

Recommended Findings: The Planning Commission recommends the following findings of fact in support of its recommendation:

1. **The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area:**

Yes. No additional burden on parks or schools would be expected because it will not involve additional residents or school-age children and there will not be a need for any expansion or improvement to utilities. The impact on streets will be minimal.

2. **The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land:**

Yes. The property on which the proposed business would be located is well screened by trees, topography and buildings from surrounding properties. There are very few homes within 500 feet of the site. Further, the site has been used for commercial/industrial uses since at least 1974.

3. **The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties:**

Yes. While the proposal will involve outdoor storage, it is well screened by topography, trees and buildings. Further, the applicant states they intend to improve the appearance of the site by installing landscaping and possibly painting the building.

4. **The use in the opinion of the Town Board is reasonably related to the overall needs of the Township and to the existing land use:**

Yes. The Township has a general desire to support the use of property for commercial uses when appropriately located and the use is deemed appropriate for the site. This site has been used for a house moving business and a truck repair/welding business in the past as well as other similar businesses for the last 40 years.

5. **The use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to located the proposed use:**

Yes. The area of the proposed development has been zoned as "Urban Residential" The purpose of this district is:

"The Urban Residential district is intended to provide opportunities for urban density (two to three dwelling units per acre) residential development in areas that are most readily served by urban infrastructure and services. Areas chosen for this district are within existing or planned public sewer district service areas. Proposed residential developments that would create oversized lots would be reviewed to facilitate an efficient and orderly transition to urban densities at a future date should landowners choose to do so."

While the proposed business use is not consistent with the Urban Residential zoning district, the ordinance does have allowances for nonconforming uses to change to other similar nonconforming uses with review by the Planning Commission and approval by the Town Board.

6. **The use is in conformance with the Comprehensive Plan of the Township:**

Yes. The comprehensive plan identifies the area of the proposed development in the Future Land Use Map as “Urban Residential”

“The purpose of this land use category is to provide opportunities for urban density housing in areas that are most readily served by urban infrastructure and services. This category is intended for areas that are currently served by Alexandria Area Sanitary Sewer District (ALASD) infrastructure or are within the identified future service area of ALASD. Within these areas, new residential development will be reviewed to ensure that the proposed density, dimensions, and layout of lots will allow for the efficient use of public infrastructure and the cost-effective provision of public services. A gross urban density of two to three dwelling units per acre or higher is intended for these areas. Proposed subdivisions that would create oversized lots would be reviewed to allow for a transition to urban densities of housing in an orderly and efficient manner. This may be accomplished through ghost platting, conservation subdivision designs that cluster homes on urban-sized lots, provision of urban sewer or road infrastructure at the time of development, or by other appropriate means.

Typical “lot-block” or “conservation” subdivision designs are both considered appropriate in these areas. Where sensitive or unique natural or cultural resources, such as wetlands, shoreland, etc. are present, a conservation subdivision design with lower densities that protects these resources may be required. Long-term commercial/industrial uses that are incompatible with residential uses should not be allowed in this district.”

While the proposed use is not consistent with the Urban Residential land use category, it is consistent with the general goal of the Township to carefully located commercial/industrial uses:

“Alexandria Township will carefully locate commercial and industrial uses in identified industrial parks or other suitable locations – primarily along or near major roadways and intersections – so as to minimize conflicts with surrounding uses and ensure their efficient and orderly expansion.”

7. The use will not create a traffic hazard or congestion:

Yes. Traffic to this site is expected to be similar to what other commercial/industrial uses have generated in the past – some limited deliveries from heavy trucks and pick-up trucks towing trailers with landscaping equipment on them. This amount and type of traffic would not be expected to create congestion or hazard as the site has good site lines as you enter and exit from the property and the amount of traffic on Geneva Road is not so heavy.

8. The use will conform to the applicable zoning regulations, including any dimensional restrictions the regulations may impose on buildings or uses:

Yes. All outdoor storage will be well screened and all setback requirements will need to be met for any additions to the building.

PUBLIC HEARING #2

Application: Preliminary Plat for “Patty’s Paradise” to allow for the re-platting of Lot 12, Block One, Rearrangement of Island Addition to Crestwood Hills into one

41,541 sq ft residential lot encompassing the existing dwelling and one 12,688 sq ft outlot that would allow for the construction of one small storage shed (approx.. 8' x 14'), but not a dwelling.

Applicant: Patty and Randall Boushek

Background Information:

Proposal: This application involves the re-platting of an existing lot platted as Lot 12 of the Rearrangement of Island Addition to Crestwood Hills. The plat would have one 41,541 sq ft (min. 20,000 sq ft required) lot to encompass the existing residential dwelling on the parcel and one 12,688 sq ft outlot that would be used for a small garden and one small garden shed (approx. 8' x 14').

Location:

1. Property Address: 3307 Island Drive NE
2. Legal Description: Lot 12, Block 1, Rearrangement of Island Addition to Crestwood Hills.
3. Parcel Number(s): 03-0141-000.

Town Board Direction: The Town Board can accept the recommendation of the Planning Commission, render a modified decision on the application, or send the request back to the Planning Commission for further review if additional information is needed. If the decision is for approval or denial, findings of fact should be cited.

Planning Commission Action: The Planning Commission has unanimously recommended approval of preliminary plat and the division of the property on the north end of Lot 12 to be used as a garden, with the following conditions of an approval:

1. That Outlot A be considered unbuildable, except for a small storage shed up to 200 sq ft in size which meets all applicable setback requirements.
2. That an ALASD stub not be required to be installed to serve Outlot A since it is an unbuildable lot.

Recommended Findings: The Planning Commission recommends the following findings of fact in support of its recommendation:

1. **Coordination with existing nearby development:** The proposed development would be well coordinated with surrounding development as it would not represent a significant change from what has existed for several decades. The proposed outlot would be owned by a landowner across the street while the house lot would be sold.
2. **Consistent with Comprehensive plan.** The proposed development is consistent with the Comprehensive Plan. The area of the development is identified on the Future Land Use Map as "Urban Residential":

Urban Residential: The purpose of this land use category is to provide

opportunities for urban density housing in areas that are most readily served by urban infrastructure and services. This category is intended for areas that are currently served by Alexandria Area Sanitary Sewer District (ALASD) infrastructure or are within the identified future service area of ALASD. Within these areas, new residential development will be reviewed to ensure that the proposed density, dimensions, and layout of lots will allow for the efficient use of public infrastructure and the cost-effective provision of public services. A gross urban density of two to three dwelling units per acre or higher is intended for these areas. Proposed subdivisions that would create oversized lots would be reviewed to allow for a transition to urban densities of housing in an orderly and efficient manner. This may be accomplished through ghost platting, conservation subdivision designs that cluster homes on urban-sized lots, provision of urban sewer or road infrastructure at the time of development, or by other appropriate means.

Typical “lot-block” or “conservation” subdivision designs are both considered appropriate in these areas. Where sensitive or unique natural or cultural resources, such as wetlands, shoreland, etc. are present, a conservation subdivision design with lower densities that protects these resources may be required. Long-term commercial/industrial uses that are incompatible with residential uses should not be allowed in this district. (*Alexandria Township Comprehensive Plan, p. 22*)

3. **Land/soil suitability.** The proposed land use of the property would not change from what it has been for the last several decades.
4. **Agriculturally Important Lands.** The land is residential in nature. There is no agricultural use in the area except for small residential gardens.
5. **Conformance to Applicable Rules and Regulations.** The proposed subdivision conforms to minimum lot dimension requirements for the single residential lot. Outlot A does not meet the minimum required size for lots, but outlots are considered unbuildable unless specifically allowed by the Town Board.
6. **Self-Imposed Restrictions.** The applicant has not submitted any self-imposed restrictions or covenants.
7. **Adequate Public Facilities.** The existing house is served with ALASD sewer and there are utilities in the area already. Water is provided via private wells.
8. **Debris and Waste.** The applicant does not propose to use any area within the development to bury debris or waste.
9. **Access.** Both of the proposed lots have more than the required minimum amount of access to the existing public right-of-way.
10. **Lot Arrangement.** Lot 1 already has a home on it. Outlot A would be considered unbuildable except for a small storage shed, which can meet all applicable setbacks.
11. **Sewage Disposal.** Lot 1 will continue to be served by ALASD sewer. Outlot A would not have any sewer, as it would have no buildings with running water.
12. **Water.** Each of the proposed lots would be served by private wells.

13. **Grading, Drainage and Stormwater Facilities.** There are not any drainage or stormwater facilities planned for the development. No additional land disturbance is expected for this subdivision request.
14. **Highways, Streets, and Alleys.** There are not any proposed streets for the development.
15. **Trails and Sidewalks.** The applicant is not proposing to construct any public trails or sidewalks through this development.
16. **Utilities.** There are existing electrical utility and natural gas utilities marked on the plat survey.
17. **Natural, Unique or Sensitive Features.** Much of the proposed development is covered with trees and other vegetation – especially near the shoreline. No impact on these areas is expected as a result of the subdivision, unless a future owner decided they wanted to clear these areas which would be subject to limitations in the ordinance.

If you have questions or concerns on the items in this report or any other issues, please do not hesitate to contact us. You can reach me by email at oleson@hometownplanning.com or by phone at 888-439-9793.

Sincerely,

HOMETOWN PLANNING



Ben Oleson
Planning and Zoning Administrator